

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	Criminal Action No.
)	13-00319-05-CR-W-DW
RANDY STAMPS,)	
)	
Defendant.)	

REPORT AND RECOMMENDATION

On April 28, 2014, I ordered Defendant to undergo a competency evaluation (Doc. No. 59). Defendant was examined by Lisa Witcher, Psy.D., who prepared a report dated May 7, 2014 (Doc. No. 71).

A competency hearing was held on May 20, 2014. The government was represented by Assistant United States Attorney Dan Nelson. Defendant in person with appointed attorney Susan Dill. The parties stipulated to the contents and findings of Dr. Witcher's report (05/20/14 Tr. at 2-3). Following the hearing, defense counsel asked to leave the record open so that Dr. Witcher could re-evaluate Defendant after Defendant had been on medication for her physical issues for a period of time (Doc. No. 81). On June 18, 2014, I received a supplemental report from Dr. Witcher (Doc. No. 93). I held a teleconference that afternoon, during which both parties stipulated to the contents of Dr. Witcher's supplemental report. Additionally, defense counsel and counsel for the Government waived the fourteen-day objection period.

Based upon the uncontroverted evidence stipulated to by the parties in this case, I find that Defendant is not competent to stand trial and assist in her defense. Therefore, it is

RECOMMENDED that the court, after making an independent review of the record and

applicable law, enter an order finding Defendant incompetent to stand trial and to assist in her defense.

/s/ Robert E. Larsen
ROBERT E. LARSEN
United States Magistrate Judge

Kansas City, Missouri
June 18, 2014